

**GIERBOLINI & CARROLL LAW OFFICES, P.S.C.**  
**Miguel E. Gierbolini, Esq.**  
**Courtney R. Carroll, Esq.**

Statement of Account

Representation of The Financial Oversight and Management Board for Puerto Rico  
("FOMB")

In re: The Financial Oversight and Management Board for Puerto Rico, PROMESA  
Title III No. 17-BK3283-LTS

In re: The Financial Oversight and Management Board for Puerto Rico  
v. Hon. Thomas Rivera-Schatz (official capacity as a representative of Senate of  
Puerto Rico),

Adversary No. 19-00014

February 2019

DATE	ACTION	TASK CODE	TIME	LAWYER
02/13/19	Analyze and review draft adversary complaint. Analyze comments from Proskauer to draft complaint. (2.0) Further review of the proposed Complaint after second review at Proskauer. (1.0)	209	3	MEG
02/13/19	Analyze and review draft adversary complaint and exhibits to complaint.	209	1.5	CRC
02/13/19	Review exhibits and other supporting documents. (1.8)	209	1.8	MEG
02/13/19	Analyze PROMESA statute regarding specific powers of the Oversight Board seek information and extent of such powers.	209	2	MEG
02/13/19	Review email from S. Negron at FOMB re: timing of filing of adversary complaint. Respond to Mathew Morris of Proskauer ("MM") re: timing of filing complaint. (0.4) T.Conf with MM re: issues related to filing of Adversarial Complaint.(0.3) T.Conf with H. Bauer counsel at O'Neill & Borges ("HDB") to discuss details of filing complaint. (0.3) T.Conf with Carla García ("CGB") and HDB re: strategic issues related to complaint. (0.4) T.Conf with HDB re: filing of Complaint including timing of same early next day. (0.3)	209	1.7	MEG
02/13/19	Analyze email communications from FOMB and Proskauer teams re: filing of adversary complaint.	209	.4	CRC
02/13/19	Review email with FOMB staff related to press release. Review draft press release in Spanish and English (0.8) Draft email re: suggested comments to draft press release to comport with filing of Adversary Complaint. (0.6)	209	1.4	MEG
02/13/19	Finalize review of adversary complaint in preparation for filing.	209	.5	MEG
02/14/19	Further review of PROMESA as it relates to complaint being filed and power to request information to any government instrumentality.	209	2	MEG

DATE	ACTION	TASK CODE	TIME	LAWYER
02/14/19	Prepare complaint for filing electronically. (1.5) File complaint. (1.0)	209	2.5	MEG
02/14/19	Prepare email to FOMB team re: filing. (0.2) Respond to email from MM re: filing. (0.3)	209	.5	MEG
02/14/19	Review final adversary complaint.	209	.3	CRC
02/14/19	Review email from MM related to service of defendant Rivera-Schatz. (0.2) Draft e-mail to Primeclerk regarding service of adversarial complaint on other parties. (0.3). Review standing rules re: providing documents to judge and magistrate and draft email to Judge Swain and Magistrate Dein with complaint. (0.7). Respond to email from J. Berman from Prime related to servicing defendant Rivera Schatz. (0.3)	209	1.5	MEG
02/14/19	Analyze email from MM re: service of process of defendant. (.2) Analyze email re: specific procedures for filing and servicing actions in Promesa litigation, FOMB service agent, courtesy copies. (.3)	209	.5	CRC
02/14/19	Analyze email from CGB re: chronology of events leading to complaint. (0.4) Analyze email from J. El Koury of FOMB ("JEK") re: conference call on strategic issues. (0.2) Read email from Guy Brenner of Proskauer ("GB"). (0.4)	209	1	MEG
02/14/19	Analyze emails from MEG to servicing agent re: service of process, emails to judge and magistrate re: courtesy copies.	209	.4	CRC
02/15/19	T.Conf with Proskauer and O'Neill teams, JEK from FOMB to discuss current status regarding filing of complaint in adversary proceeding against Senate with regards to compliance with FOMB access to documents and financial information, service of process on defendant, possible schedule going forward, possible fast track before court, other strategic issues.	209	.6	CRC
02/15/19	T.Conf with Proskauer and O'Neill teams, JEK from FOMB to discuss current status regarding filing of complaint in adversary proceeding against Senate with regards to compliance with FOMB access to documents and financial information, service of process on defendant, possible schedule going forward, possible fast track before court, other strategic issues.	209	.6	MEG
02/15/19	Analyze earlier pleadings re: budget deal, where court granted request and established fast tract timing for resolution of legal issues, to determine whether such an argument may be applicable with issues raised in adversary complaint.	209	1.0	MEG

DATE	ACTION	TASK CODE	TIME	LAWYER
02/15/19	Review rules to service officer of instrumentality and whether the head of a legislative body in Puerto Rico is represented by the Justice Department. (1.0) Research notification requirement to Justice Department under Puerto Rico civil procedure rules (1.0)	209	2.0	MEG
02/15/19	Draft Notice of Appearance in adversary proceeding.	209	.7	CRC
02/15/19	Analyze email from HDB re: expedited consideration in PROMESA and statutory provision (.3); emails from HDB and CGB re: strategic issues related to servicing defendant (.2).	209	.5	CRC
02/15/19	Analyze various email communications from Carla Garcia Benitez ("CGB") and Hermann D. Bauer ("HDB") re: service of process on defendant and possible legal representation of defendant for communication regarding waiver of service of process.	209	.3	CRC
02/15/19	Analyze email from GB re: next steps on serving defendant.	209	.2	CRC
02/16/19	Research PR law re: legal representation of an employee or representative of the Legislative branch by the Department of Justice of Puerto Rico, the process for approving private legal representation.	209	1.1	CRC
02/17/19	Analyze email from GB re: servicing Defendant Rivera Schatz and respond. (0.3) Contact Process Server re: service of process on defendant (0.3); further discuss alternatives as to servicing defendant Rivera Schatz (0.6).	209	1.2	MEG
02/17/19	Review Rules of the Senate and general Commonwealth civil procedure rules related to suing officers of the Government.	209	1	MEG
02/17/19	Analyze email from GB re: serving defendant, and response from MEG.	209	.3	MEG
02/18/19	T.Conf. with process server Braham Santiago re: servicing defendant.	209	.8	MEG
02/19/19	Review email from GB re: communications with counsel for Senate in prior proceedings, attorney Aldarondo. (0.2) Analyze court records related to prior case where attorney Aldarondo was involved in representation of defendant Rivera Schatz (0.8). Respond to GB (0.4) Tel. conf with Aldarondo's office (0.2)	209	1.6	MEG
02/19/19	Review email from GB re: communications with defense counsel, response from MEG.	209	.3	MEG
02/19/19	Review Notice of Appearance for GB and K. Perra and file same <i>pro hac vice</i> (0.8)	209	.8	MEG

DATE	ACTION	TASK CODE	TIME	LAWYER
02/19/19	Email GB re: status of communications with Aldarondo.	209	.5	MEG
02/19/19	Draft email to CGB re: questions of whether O&B has already done legal research in order to avoid duplication of efforts.	209	.5	CRC
02/20/19	Meet process server to discuss servicing of Senate president and ascertain proper servicing. (0.7) Review executed summons. (0.3)	209	1	MEG
02/20/19	Tel conf with Clerk of the Court, C. Tacoronte re: signature of summons. (0.3) Analyze rules related to executed summons. (0.5). Analyze Puerto Rico Rules of Civil Procedure re: service of process and necessity to notify Secretary of Justice. (0.5) Prepare notification for Secretary of Justice as per Rule 4g. (0.8) Conference with Process servicer re: notification to Secretary of Justice (.5)	209	2.6	MEG
02/20/19	Respond to email from JEK re: service of Defendant and next steps, and review response (0.4). Analyze email from GB re: expedited process in response to query from JEK. (0.2)	209	.6	MEG
02/20/19	Analyze email from GB re: email from defendant's counsel providing information sought in complaint. (0.2) Analyze documents forwarded by defense counsel Aldarondo. (0.8) Read email from JEK re: review of Duff and Phelps of information provided by defense counsel. (0.2)	209	1.2	MEG
02/20/19	Analyze email forwarded by CGB from Jose Notario Toll ("JNT") re: applicability of provision in PR law authorizing private legal representation of employees of the legislative branch and role of the Secretary of Justice. (.8) Draft follow-up email to CBG re: additional issue under PR Rules of Civil Procedure and analyze response. (.5) Analyze next steps re: service of process of adversarial complaint. (.3)	209	1.6	CRC
02/20/19	Analyze email communications from JEK, MEG, GB re: status of service of process, next steps. (.3) Analyze letter from defense counsel and attached exhibits responding to requests for information contained in the adversary complaint. (1.1)	209	1.4	CRC

DATE	ACTION	TASK CODE	TIME	LAWYER
02/21/19	Further analyze documents presented by counsel for Senate President to assess whether the same comply with FOMB request for documentation and information contained in adversary complaint. (0.7) Analyze email from FOMB re: documents submitted by defendants. (0.3) Analyze further email from J. Feldman re: Duff and Phelps' analysis of documents submitted vis a vis request. (0.2) Read email from JEK re: access to Senate bank accounts and related issues. (0.3)	209	1.5	MEG
02/21/19	Analyze communications re: analysis of information provided by defense counsel, impact on litigation, strategy and next steps.	209	.5	CRC
02/26/19	Review draft letter from GB re: response from defense counsel re: compliance with document request. (0.8). Review comments from SN and P. Pierluisi of O'Neill & Borges. (0.2) Review edited version of letter to defense counsel by E. Trigo. (0.4)	209	1.4	MEG
02/26/19	Analyze draft letter from GB responding to communication from defense counsel (.5); comments from others on team, FOMB, O&B, Proskauer (.5); provide comments from G&C to draft letter (2).	209	1.2	CRC
02/27/19	Review email from JEK related to follow up transmittal of letter. (0.2) Review final version of GB letter to defense counsel to establish Board's position related to the Senate's offering. (0.4)	209	.6	MEG
02/27/19	Analyze final letter from GB to defense counsel, email communications from team, JEK, GB.	209	.5	CRC
<b>TOTAL HOURS</b>	<b>February 2019</b>		<b>49.1</b>	

#### FEES

Initials	Name	Position	Total time	Rate per hour	Total amount
CRC	Courtney R. Carroll	partner	12.2	240	\$2928
MEG	Miguel E. Gierbolini	partner	36.9	240	\$8856
<b>Subtotal</b>			49.1		<b>\$11784.00</b>

#### EXPENSES

Type	Item	To whom	Date	Quantity	Total amount
Expenses	Filing fee, Adversary Proceeding 19-00014	US Bankruptcy Court	02/15/19	1	\$400.00
Expenses	Personal service on defendant and Department of Justice	Braham Santiago	02/27/19	2 x \$60.00	\$120.00
<b>Subtotal</b>					<b>\$520.00</b>

